

U.S. Department of Justice



United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

July 10, 2025

The parties' request at ECF No. 201 is **GRANTED**. The revised briefing schedule set forth below is **ADOPTED**. (See ECF Nos. 195; 198; 200).

VIA ECF

The Honorable Sarah L. Cave
United States Magistrate Judge
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

The Clerk of Court is respectfully directed to close ECF No. 201.

SO ORDERED. July 11, 2025

SARAH L. CAVE
United States Magistrate Judge

Re: Nkansah v. United States of America, 18-cv-10230 (KMW) (SLC)

Dear Judge Cave:

This Office represents the Government in the above-referenced action filed by Felix Nkansah ("Plaintiff") under the Federal Tort Claims Act, 28 U.S.C. § 1346(b), *et seq.* The Government's opening brief to exclude portions of Plaintiff's proposed expert testimony under Federal Rule of Evidence 702 and Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579, 597 (1993), as well as Plaintiff's opening summary judgment brief, are due by Friday July 11, 2025, with oppositions due by August 11, 2025, and replies due by September 8, 2025. See Order, dated June 26, 2025 (ECF No. 200). With Plaintiff's consent, I write respectfully to request a one-week extension of the July 11 deadline to July 18, and concomitant extensions of the opposition and reply deadlines, because I have been feeling unwell and unfortunately will not be able to meet this Friday's opening brief deadline. For nearly all of the past two weeks I have been out of the office for personal health reasons and to attend several doctor appointments. Despite my best efforts, this has impacted my ability to work on the Government's Daubert brief and will prevent me from meeting the July 11 deadline. Plaintiff's counsel consents to the request, and has also asked for a one-week extension for Plaintiff's summary judgment motion so that the parties' briefing can proceed on the same schedule, to which the Government has no objection.

Accordingly, the parties respectfully request a one-week extension of the Daubert and summary judgment briefing deadlines as follows: opening briefs to be due by July 18, oppositions to be due by August 15, and replies to be due by September 15, 2025. This is the Government's second request for an extension of the briefing schedule, and Plaintiff's third. The parties previously filed a joint request for a two-week extension on June 25, 2025 (ECF No. 199), which was granted, see Order, dated June 26, 2025 (ECF No. 200), and Plaintiff previously filed a request for a three-week extension on May 23, 2025 (ECF No. 187), which was granted, see Order, dated May 27, 2025 (ECF No. 198).

I thank the Court for its consideration of this request.

Respectfully,

JAY CLAYTON
United States Attorney for the
Southern District of New York

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